

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BENBOW,		:
		:
	Plaintiff,	: Civil Action No: 17-CV-6457 (EK)(JRC)
	v.	:
		:
FEELY, et al.,		:
		:
	Defendants.	:
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Certification of Aymen A. Aboushi, Esq. in Opposition to Defendants' Motion for Summary Judgment

Aymen A. Aboushi, Esq., an attorney duly admitted to practice in the State of New York and in this Court, declares, pursuant to 28 U.S.C. §1746, under penalty of perjury, that the following is true and correct:

1. I represent the Plaintiff in this matter.
2. Exhibit 1 is a true and accurate copy of Plaintiff's Amended Complaint dated August 14, 2019.
3. Exhibit 2 is a true and accurate copy of relevant excerpts of Plaintiff James Benbow's deposition transcript.
4. Exhibit 3 is a true and accurate copy of relevant excerpts of Defendant Feeley's deposition transcript.
5. Exhibit 4 is a true and accurate copy of relevant excerpts of Defendant Rosiello's deposition transcript.
6. Exhibit 5 is a true and accurate copy of relevant excerpts of Defendant Minucci's deposition transcript.

7. Exhibit 6 is a true and accurate copy of relevant excerpts of Defendant Anderson's deposition transcript.
8. Exhibit 7 is a true and accurate copy of relevant excerpts of Defendant Diab's deposition transcript.
9. Exhibit 8 is a true and accurate copy of NYPD's performance monitoring criteria.
10. Exhibit 9 is a true and accurate copy of Jason Marshall's resume of misconduct.
11. Exhibit 10 is a true and accurate copy of Plaintiff's Kings County Hospital medical records.
12. Exhibit 11 is a true and accurate copy of relevant NYPD Investigation Reports.
13. Exhibit 12 is a true and accurate copy of Expert Report of Joe Pollini.
14. Exhibit 13 is a true and accurate copy of Expert Report of Highland Forensics.
15. Exhibit 14 is a true and accurate copy of Expert Report of Dr. Troy Caron.
16. Exhibit 15 is a true and accurate copy of Expert Report of Dr. Dainius Drunkteinis.
17. Exhibit 16 is a true and accurate copy of the Criminal Complaint signed by Defendant Anderson against Plaintiff and a relevant portion of Anderson's testimony at the Grand Jury proceeding.
18. Exhibit 17 is a true and accurate copy of the Second Department Appellate Division Opinion.
19. Exhibit 18 is a true and accurate copy of the Court's Order of Dismissal.
20. Exhibit 19 is a true and accurate copy of Defendants response to interrogatory number 9, in which seven of the nine lawsuits listed involved Defendants Feeley and Rosellio.
21. Exhibit 20 is a true and accurate copy of the 50-a complaint history against Officers Feeley and Rosiello.

22. Exhibit 21 is a true and accurate copy of the 50-a complaint history against Officers Anderson, Minucci, Mitchell and Sgt. Diab.
23. Exhibit 22 is a true and accurate copy of the NYPD's Firearms Analysis Operability Worksheet.
24. Exhibit 23 is a true and accurate copy of the sketch drawn by the Defendants of the scene.
25. Exhibit 24 is a true and accurate copy of IAB Resume for Feeley.
26. Exhibit 25 is a true and accurate copy of IAB resume for Rosiello.
27. Exhibit 26 is a true and accurate copy of the disciplinary files for all Defendant Officers.
28. Exhibit 27 is a true and accurate copy of an excerpt from the CCRB's Case Overview for Case #201506396.
29. Exhibit 28 is a true and accurate copy of – CCRB Complaint List for Feeley
30. Exhibit 29 is a true and accurate copy of – CCRB Complaint List for Rosiello
31. Exhibit 30 is a true and accurate copy of an excerpt of the interview of PO Feeley for CCRB Case #201506396.
32. Exhibit 31 is a true and accurate copy of an excerpt of the interview of Sgt. Diab for CCRB Case #201506396.
33. Exhibit 32 is a true and accurate copy of an excerpt of the interview of PO Anderson for CCRB Case #201506396.
34. Exhibit 33 is a true and accurate copy of an excerpt of the interview of PO Mitchell for CCRB Case #201506396.
35. Exhibit 34 are true and accurate copies of Non-serve Affidavits for the subpoena of Jason Marshall. Furthermore, Defense counsel was in contact with Mr. Marshall to secure his

attendance at a deposition. Mr. Marshall refused to cooperate with him and refused to appear for a deposition.

36. Exhibit 35 is a true and accurate copy of an excerpt from PO Mitchell's GO-15 testimony.

37. Exhibit 36 is a true and accurate copy of an excerpt from PO Rosiello's GO-15 testimony.

38. Exhibit 37 is a true and accurate copy of relevant excerpts of Defendant Mitchell's deposition transcript.

39. Exhibit 38 is a true and accurate copy of relevant excerpts of Cespedes' deposition transcript and 50-a.org history.

Dated: September 10, 2021

Respectfully Submitted,  
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